

REMARKS

Claims 1-5, 7-15, and 19-44 remain in the application. Claims 1, 7, 12, and 22 are amended and Claims 6 and 16-18 are canceled.

Applicants' undersigned representative gratefully acknowledges the discussion with the Examiner on December 3, 2004, regarding the status of Claims 22-26, which are simultaneously indicated as being allowed and being rejected. Applicants' representative learned that Claims 22-26 are, indeed rejected, and the comments below are believed to be consistent with the discussion with the Examiner.

The Examiner contends that the title of the invention is not descriptive and requires a new title "that is clearly indicative of the invention to which the claims are directed".

The title is amended to read --POINT SOURCE MODULE AND METHODS OF ALIGNING AND USING THE SAME--. If this title is still objected to by the Examiner, he is respectfully invited to suggest a title that would be acceptable.

Claims 16-18 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 16-18 are canceled, thereby obviating the rejection.

Claims 1, 2, 5, 14, 19, and 22-26 are rejected under 35 USC 102(b) as being anticipated by Mantravadi (Optical Shop Testing, 1992), cited by Applicants in their Information Disclosure Statement filed with the application.

The Examiner has indicated that Claim 6 is allowable, if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claim 6, as filed, depended directly from Claim 1, which is amended herein to include the limitations of Claim 6, which is accordingly canceled. The dependencies of Claims 7 and 12 have been suitably amended to also depend from Claim 6.

Claim 1, as amended, is considered to be patentable over Mantravadi. Since Claims 2, 5, 14, and 19 depend from Claim 1, then these claims are also considered to be patentable over this reference.

Claim 22 is amended to include the same limitation as allowed Claim 20, namely, including the method limitation of "combining a cat's eye-type reflection with the objective lens so that images from the spherical reference surface and from the objective lens are coincident

or separated, as desired”. As a result of the amendment to Claim 22, Applicants submit that Claims 23-26 are also allowable.

Reconsideration of the rejection of Claims 1, 2, 5, 14, 19, and 22-26, as amended, as being anticipated by Mantravadi is respectfully requested.

Claims 3, 4, 13, 15, and 27-44 are rejected under 35 USC 103(a) as being unpatentable over Mantravadi, *supra*.

Claims 3, 4, 13, and 15 depend, directly or indirectly, from Claim 1. Since Claim 1 is amended to incorporate the limitations of Claim 6, indicated as allowable, Applicants submit that Claims 3, 4, 13, and 15 are also allowable.

Claims 27-44 depend, directly or indirectly from Claim 22. Since Claim 22 is amended to incorporate the limitation of using a cat’s eye-type reflection with the objective lens, which has been indicated as being allowed in Claim 20, Applicants submit that Claims 27-44 are also allowable.

Reconsideration of the rejection of Claims 3, 4, 13, 15, and 27-44 under 35 USC 103(a) as being unpatentable over Mantravadi is respectfully requested.

Applicants acknowledge their “obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made”.

Applicants appreciate that Claims 20-21 are allowed (see above regarding the “allowed” status of Claims 22-26).

Applicants also appreciate that Claims 6-12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In the connection, Claim 1, from which Claim 6 directly depends, has been amended to include the limitations of Claim 6. Applicants expect that Claims 1-5, 7-15, and 19 are now allowable.

The Examiner cites Kuhn et al (U.S. Patent 6,459,490), Yafuso (U.S. Patent 6,738,147) and Shen (Applied Optics), but has not applied these references against the claims. Applicants have reviewed these references and consider that they neither disclose nor suggest Applicants’ claimed invention, whether taken alone or in combination with each other or in combination with above-cited Mantravadi.

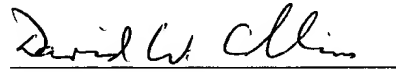
The foregoing amendments and arguments are submitted to place the application in condition for allowance. The Examiner is respectfully requested to take such action. If the Ex-

aminer has any questions, he is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

ROBERT E. PARKS ET AL

December 23, 2004

A handwritten signature in cursive script, appearing to read "David W. Collins", is written over a horizontal line.

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